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Message Text

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15
ACTION EA-09

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TO SECSTATE WASHDC 6931
INFO AMEMBASSY LONDON
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CINCPAC HONOLULU

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CINCPAC FOR POLAD

E.O. 11652: N/A
TAGS: AS, PINT
SUBJECT: AUSTRALIAN POLITICAL CRISIS

REF: CANBERRA 7579

1. SUMMARY: GOVERNOR GENERAL KERR'S DISMISSAL OF WHIT-
LAM BECAUSE HIS GOVERNMENT'S SUPPLY BILLS WERE BLOCKED
BY THE OPPOSITION IN THE SENATE HAS ALTERED THE NATURE
OF PARLIAMENTARY DEMOCRACY IN AUSTRALIA. QUALIFIED OBSERVERS
CONTEND THAT IT VIRTUALLY INSURES POLITICAL INSTABILITY
IN AUSTRALIA FOR THE FORESEEABLE FUTURE. END SUMMARY

2. THE KEY PASSAGES IN THE GOVERNOR GENERAL'S STATEMENT
ANNOUNCING WHITLAM'S DISMISSAL ARE OUTLINED BELOW:

QTE. BECAUSE OF THE FEDERAL NATURE OF OUR CONSITU-
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TION AND BECAUSE OF ITS PROVISIONS THE SENATE

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UNDOUBTEDLY HAS CONSTITUTIONAL POWER TO REFUSE
OR DEFER SUPPLY TO THE GOVERNMENT. BECAUSE OF
THE PRINCIPLES OF RESPONSIBLE GOVERNMENT A PRIME
MINISTER WHO CANNOT OBTAIN SUPPLY, INCLUD-
ING MONEY FOR CARRYING ON THE ORDINARY SERVICES
OF GOVERNMENT, MUST EITHER ADVISE A GENERAL
ELECTION OR RESIGN.

QTE. IF HE REFUSES TO DO THIS I HAVE THE AUTHORITY,
AND INDEED THE DUTY , UNDER THE CONSTITUTION
TO WITHDRAW HIS COMMISSION AS PRIME MINISTER.

QTE. THE POSITION IN AUSTRALIA IS QUITE DIFFERENT
FROM THE POSITION IN THE UNITED KINGDOM. HERE
THE CONFIDENCE OF BOTH HOUSES ON SUPPLY IS
NECESSARY TO ENSURE ITS PROVISION. IN THE
UNITED KINGDOM THE CONFIDENCE OF THE HOUSE
OF COMMONS ALONE IS NECESSARY.

QTE. BUT BOTH HERE AND IN THE UNITED KINGDOM THE
DUTY OF THE PRIME MINISTER IS THE SAME IN A MOST
IMPORTANT RESPECT - IF HE CANNOT GET SUPPLY
HE MUST RESIGN OR ADVISE AN ELECTION.

QTE. IF A PRIME MINISTER REFUSES TO RESIGN OR TO
ADVISE AN ELECTION, AND THIS IS THE CASE WITH
MR. WHITLAM, MY CONSTITUTIONAL AUTHORITY AND
DUTY REQUIRE ME TO DO WHAT I HAVE NOW DONE - TO
WITHDRAW HIS COMMISSION AND TO INVITE THE LEADER
OF THE OPPOSITION TO FORM A CARETAKER GOVERNMENT -
THAT IS, ONE THAT MAKES NO APPOINTMENTS OR DIS-
MISSALS AND INITIATES NO POLICIES, UNTIL A GEN-
ERAL ELECTION IS HELD. IT IS MOST DESIRABLE THAT
HE SHOULD GUARANTEE SUPPLY. MR FRASER WILL BE
ASKED TO GIVE THE NECESSARY UNDERTAKINGS AND
ADVISE WHERE HE IS PREPARED TO RECOMMEND A
DOUBLE DISSOLUTION. HE WILL ALSO BE ASKED TO
GUARANTEE SUPPLY.

QTE. THE DECISIONS I HAVE MADE WERE MADE AFTER I
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WAS SATISIFIED THAT MR. WHITLAM COULD NOT OBTAIN
SUPPLY. NO OTHER DECISION OPEN TO ME WOULD
ENABLE THE AUSTRALIAN PEOPLE TO DECIDE FOR
THEMSELVES WHAT SHOULD BE DONE. END QTE.

3. KERR'S POSITION MEANS THAT IN THE FUTURE A HOS-
TILE SENATE CAN BRING DOWN A GOVERNMENT WHENEVER IT
DENIES SUPPLY. IT CREATES A SENATE WHICH CAN FORCE

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THE HOUSE OF REPRESENTATIVES TO BE DISSOLVED WHENEVER THE SENATE CHOOSES TO DO SO. GIVEN THE PROPORTIONAL REPRESENTATION SYSTEM USED IN ELECTIONS TO THE AUSTRALIAN SENATE IT IS PROBABLE THAT A MAJORITY OF THE SENATE WILL FREQUENTLY BE HOSTILE TO THE GOVERNMENT IN POWER. MOREOVER THE DECISION GIVES AN INORDINATE AMOUNT OF POWER TO INDEPENDENT AND SPLINTER PARTY SENATORS LIKE SENATOR STEELE HALL OF THE LIBERAL MOVEMENT, AT THE EXPENSE OF THE MAJOR PARTIES.

4. WHILE THE AUSTRALIAN SENATE IS A HYBRID WHICH CLEARLY HAS MORE POWER THAN THE BRITISH HOUSE OF LORDS, IT IS EQUALLY CLEAR THAT THE AUSTRALIAN CONSTITUTION DID NOT ENVISION CREATING A SENATE WHICH COULD NEGATE THE POWER OF THE HOUSE OF REPRESENATIVES.

5. THE GOVERNOR GENERAL'S UNILATERAL DECISION RUNS COUNTER TO THE VIEWS OF THE VAST MAJORITY OF AUSTRALIANS WHICH HAS BEEN REPEATEDLY REFLECTED IN PUBLIC OPINION POLLS WHO BELIEVE THAT THE SENATE SHOULD NOT REVOKE THE SUPPLY BILLS OF A GOVERNMENT WHICH HAS A MAJORITY IN THE LOWER HOUSE. IT SANCTIONS THE LEGALITY OF THE LIBERAL-COUNTRY COALITION'S DECISION TO BLOCK SUPPLY IN THE SENATE WHICH BREACHES THE POLITICAL CONVENTION THAT THE SENATE SHOULD NOT REJECT SUPPLY BILLS; A CONVENTION WHICH HAS BEEN HONORED SINCE 1901.

6. THE REACTION OF WHITLAM AND THE ALP HAS BEEN NASTY AND PREDICTABLE. WHITLAM TOLD A RALLY OUTSIDE PARLIAMENT HOUSE QTE. WELL MAY WE SAY
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GOD SAVE THE QUEEN BECAUSE NOTHING WILL SAVE THE GOVERNOR GENERAL. THE PROCLAMATION WHICH YOU HAVE JUST HEARD READ BY THE GOVERNOR GENERAL'S OFFICIAL SECRETARY WAS COUNTER-SIGNED BY MALCOLM FRASER WHO WILL UNDOUBTEDLY GO DOWN IN AUSTRALIAN HISTORY FROM REMEMBRANCE DAY IN 1975 AS KERR'S CUR. END QTE LABOR WILL CAMPAIGN ON A QTE WE WAS ROBBED END QTE THEME AND IT IS POSSIBLE THAT THE ALP WILL ADOPT A PARTY PLANK CALLING FOR AN AUSTRALIAN REPUBLIC.

7. IN THE AFTERMATH OF WHAT SOME JOURNALISTS ARE CALLING THE ARMISTICE DAY MASSACRE, THOUGHTFUL OBSERVERS ARE ASKING WHAT WILL COME NEXT. THE BEST COMMENT WAS IN A NOVEMBER 12 MELBOURNE AGE EDITORIAL

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WHICH SAID:

QTE. WHATEVER FURTHER RATIONALE SIR JOHN MAY OFFER
FOR HIS YARRALUMLA COUP D'ETAT, LET US BE
QUITE CLEAR ABOUT ITS EFFECTS. THE PARTY
WHICH HELD A CLEAR MAJORITY IN THE HOUSE OF
REPRESENTATIVES - THE PEOPLE'S CHAMBER IN
WHICH GOVERNMENTS HAVE ALWAYS BEEN MADE
AND BROKEN - HAS BEEN BUNDLED OUT OF OFFICE
BY VICE-REGAL DECREE. IN ITS PLACE WE HAVE
A MAKESHIFT CARETAKER ADMINISTRATION WHICH
CANNOT COMMAND SUCH A MAJORITY. ITS INABILITY
TO DO SO WAS DEMONSTRATED YESTERDAY AFTERNOON
WITHIN AN HOUR OF SIR JOHN'S ANNOUNCEMENT.
THAT IS NOT ALL. AN ELECTORATE WHICH 18 MONTHS
AGO VOTED INTO POWER A GOVERNMENT FOR THREE
YEARS HAS BEEN ORDERED BY THE QUEEN'S REPRESEN-
TATIVE TO TRY AGAIN. IN THE MEANTIME, IF
MAJORITIES STILL MEAN ANYTHING AT ALL, THE
SENATE IS TODAY THE SEAT OF AUSTRALIAN GOVERN-
MENT....THE FRASER PRECEDENT NOW BEARS A
VICE-REGAL SEAL AND ANY FUTURE GOVERNMENT OF
THIS COUNTRY WHICH FINDS ITSELF CONFRONTED BY
A HOSTILE SENATE WILL BE UNDER CONSTANT THREAT.
IT WILL NOT DARE MAKE THE UNPOPULAR DECISIONS
WHICH ARE INEVITABLE NECESSARY IN THE LIFE OF
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ANY PARLIAMENT. UNLESS AND UNTIL THE SENATE'S
POWER TO REJECT MONEY BILLS IS ABOLISHED WE
ARE DOMMED TO INTERVALS OF HAMSTRUNG GOVERN-
MENT. END QTE
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